

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

CHAVON ADIR WIGGINS,)
Petitioner,)
v.) No. 4:07-CV-1288-TCM
STATE OF MISSOURI,)
Respondent.)

ORDER NUNC PRO TUNC

This matter is before the Court upon review of petitioner's motion to alter/amend the January 22, 2008 Order of Dismissal for failure to pay the filing fee [Doc. #15]. Petitioner claims that he did, in fact, timely pay the filing fee.

Having reviewed this matter, it appears that petitioner has timely paid the filing fee, and that due to a clerical error, the record of payment had not yet been included in the Court's records when the dismissal order was issued on January 22, 2008.

Accordingly,

IT IS HEREBY ORDERED that petitioner's motion to alter/amend judgment [Doc. #15] is **GRANTED**.

IT IS FURTHER ORDERED nunc pro tunc that this Court's Order of Dismissal [Doc. #13] is **VACATED**.

IT IS FURTHER ORDERED that petitioner's motion for appointment of counsel [Doc. #2], motion to stay [Doc. #3], and motion to supplement the petition [Doc. #5] are **REINSTATED**.

Dated this 11th day of February, 2008.

/s/ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE